

**UTILITY  
PATENT APPLICATION  
TRANSMITTAL**

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. 216143US0DIV

First Inventor or Application Identifier Philippe M. GER

Title **BIOCOMPATIBLE IMPLANT FOR THE EXPRESSION AND IN VIVO SECRETION OF A THERAPEUTIC SUBSTANCE**

7/30/01  
3/23/02

Assignee Name: INSTITUT PASTEUR

Assignee Address: 25-28, rue du Dr.-Roux, F-75724 Paris, Cedex 15, FRANCE

11/15/01  
TO: [REDACTED]

J11128  
TO:

**APPLICATION ELEMENTS**

*[See MPEP chapter 600 concerning utility patent application contents]*

Fee Transmittal Form (e.g. PTO/SB/17)  
(Submit an original and a duplicate for fee processing)

2.  Specification Total Sheets **45**

3.  Drawing(s)  
(35 U.S.C. 113) Total Sheets **11**

4.  Oath or Declaration Total Pages **3**

- a.  Newly executed (original or copy)
- b.  Copy from a prior application (37 C.F.R. §1.63(d))  
(for continuation / divisional w/ box 17 completed)
  - i.  DELETION OF INVENTOR(S)  
Signed statement attached deleting inventor(s) named in the prior application, see 37 C.F.R. §1.63(d)(2) and 1.33(b).

5.  CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)

6.  Nucleotide and/or Amino Acid Sequence Submission  
(if applicable, all necessary)

- a.  Computer Readable Form (CRF)

b. Specification or Sequence Listing on:

- i.  CD-ROM or CD-R (2 copies); or
- ii.  Paper

c.  Statements verifying identity of above copies

ADDRESS TO: Assistant Commissioner for Patents  
Box Patent Application  
Washington, DC 20231

**ACCOMPANYING APPLICATION PARTS**

- 7.  Assignment Papers (cover sheet & document(s))
- 8.  Application Data Sheet, 3 pages, See 37 CFR 1.76
- 9.  37 C.F.R. §3.73(b) Statement  Power of Attorney  
(when there is an assignee)
- 10.  English Translation Document (if applicable)
- 11.  Information Disclosure Statement (IDS)/PTO-1449  Copies of IDS Citations
- 12.  Preliminary Amendment
- 13.  White Advance Serial No. Postcard
- 14.  Certified Copy of Priority Document(s)  
(if foreign priority is claimed)
- 15.  Applicant claims small entity status.  
See 37 CFR 1.27
- 16.  Other: Request for Priority  
Marked-up copy

jc973 U.S. PTO  
09/1987601  
11/15/01

17. If a CONTINUATING APPLICATION, check appropriate box, and supply the requisite information below:

Continuation  Divisional  Continuation-in-part (CIP) of prior application no.: 09/225,509

Prior application information: Examiner: NGUYEN Group Art Unit: 1633

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 4b, is considered a part of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

18. Amend the specification by inserting before the first line the sentence:

This application is a  Continuation  Division  Continuation-in-part (CIP)  
of application Serial No. 09/225,509 Filed on January 6, 1999, allowed, which is a Divisional of Serial No. 08/532,814 filed January 19, 1996, now U.S. Patent No. 5,906,817 which was filed as International Application No. PCT/FR94/00456 filed April 21, 1994.

- Which was published in English
- Which was not published in English
- This application claims priority of provisional application Serial No.

Filed

**19. CORRESPONDENCE ADDRESS**



**22850**

(703) 413-3000

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Name:	Norman F. Oblon	Registration No.:	24,618
Signature:		Date:	11/15/01
Name:	Daniel J. Pereira, Ph.D.	Registration No.:	45,518

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

INVENTOR(S) Philippe MOULLIER et al

SERIAL NO: New Application

FILING DATE: Herewith

FOR: BIOCOPATIBLE IMPLANT FOR THE EXPRESSION AND IN VIVO SECRETION OF A THERAPEUTIC SUBSTANCE

## FEE TRANSMITTAL

ASSISTANT COMMISSIONER FOR PATENTS  
WASHINGTON, D.C. 20231

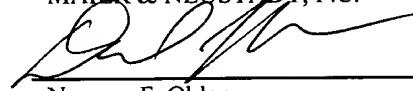
FOR	NUMBER FILED	NUMBER EXTRA	RATE	CALCULATIONS
TOTAL CLAIMS	60 - 20 =	40	× \$18 =	\$720.00
INDEPENDENT CLAIMS	3 - 3 =	0	× \$84 =	\$0.00
■ MULTIPLE DEPENDENT CLAIMS (If applicable)			+ \$280 =	\$280.00
□ LATE FILING OF DECLARATION			+ \$130 =	\$0.00
			BASIC FEE	\$740.00
			TOTAL OF ABOVE CALCULATIONS	\$1,740.00
□ REDUCTION BY 50% FOR FILING BY SMALL ENTITY				\$0.00
□ FILING IN NON-ENGLISH LANGUAGE			+ \$130 =	\$0.00
□ RECORDATION OF ASSIGNMENT			+ \$40 =	\$0.00
			TOTAL	\$1,740.00

Please charge Deposit Account No. 15-0030 in the amount of A duplicate copy of this sheet is enclosed.

A check in the amount of \$1,740.00 to cover the filing fee is enclosed.

The Commissioner is hereby authorized to charge any additional fees which may be required for the papers being filed herewith and for which no check is enclosed herewith, or credit any overpayment to Deposit Account No. 15-0030.  
A duplicate copy of this sheet is enclosed.

Respectfully Submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.

Norman F. Oblon  
Registration No. 24,618Daniel J. Pereira, Ph.D.  
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



IN RE APPLICATION OF: Philippe MOULLIER et al

SERIAL NO: New U.S. Application

FILED: Herewith

FOR: BIOCOPATIBLE IMPLANT FOR THE EXPRESSION AND IN VIVO SECRETION OF A THERAPEUTIC  
SUBSTANCE

REQUEST FOR PRIORITY

ASSISTANT COMMISSIONER FOR PATENTS  
WASHINGTON, D.C. 20231

SIR:

Full benefit of the filing date of U.S. Application Serial Number 09/225,509 filed **January 6, 1999**, which is a Divisional of Serial No. 08/532,814 filed **January 19, 1996**, which was filed as International Application No. PCT/FR94/00456 filed **April 21, 1994** is claimed pursuant to the provisions of 35 U.S.C. §120.

Full benefit of the filing date of U.S. Provisional Application Serial Number , filed , is claimed pursuant to the provisions of 35 U.S.C. §119(e).

Applicants claim any right to priority from any earlier filed applications to which they may be entitled pursuant to the provisions of 35 U.S.C. §119, as noted below.

In the matter of the above-identified application for patent, notice is hereby given that the applicants claim as priority:

<u>COUNTRY</u>	<u>APPLICATION NUMBER</u>	<u>MONTH/DAY/YEAR</u>
FRANCE	93/04700	April 21, 1993
FRANCE	93/09185	July 26, 1993

Certified copies of the corresponding Convention Application(s)

are submitted herewith

will be submitted prior to payment of the Final Fee

were filed in prior application Serial No. filed

were submitted to the International Bureau in PCT Application Number PCT/FR94/00456 filed **April 21, 1994**.

(A) Application Serial No.(s) were filed in prior application Serial No. filed ; and

(B) Application Serial No.(s)

are submitted herewith

will be submitted prior to payment of the Final Fee

Respectfully Submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.

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